

## Eddie Sleeper

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**From:** Matthew Kelley <mdkelley338@gmail.com>  
**Sent:** Sunday, January 28, 2018 9:38 AM  
**To:** Eddie Sleeper; Rep. Tim Sneller (District 50); Rep. Donna Lasinski (District 52); Rep. Joseph Bellino, Jr. (District 17); Rep. Darrin Camilleri (District 23); Rep. Triston Cole (District 105); Rep. Scott Dianda (District 110); Rep. Brian Elder (District 96); Rep. Patrick Green (District 28); Rep. Beth Griffin (District 66); Rep. Steven Johnson (District 72); Rep. Beau LaFave (District 108); Rep. James Lower (District 70); Rep. John Reilly (District 46); Rep. Jim Tedder (District 43); Rep. Diana Farrington (District 30); Rep. LaTanya Garrett (District 7); Rep. Gary Glenn (District 98); Rep. Tom Barrett (District 71)  
**Subject:** Testimony for January 30, 2018 Energy Cmte Meeting  
**Attachments:** dte complaint.pdf; DTE\_cut\_power\_lines.jpg; DTE\_correspondence.pdf

Ladies and Gentlemen of the Energy Committee,

I am hoping you have the time to read about my experience of having my power lines cut by DTE with little to no notice (I have attached a photo of the cut lines). I came home from work on a cold day in November, 2016 to find that my power lines had been cut at the transformer. I wrote down my experience at that time. I have attached the shutoff notice found on my door and the initial warning letter that I received three days prior to the shutoff (I was travelling for work at the time). I have also attached the complaint I filed with the attorney general.

In June 2016 I received a letter from DTE energy notifying me that they were going to remove my analog meter and install what they called an advanced meter. They stated that this process would cause me to temporarily lose power and if I had a concern I should contact them.

As soon as possible I called the phone number listed in the letter to let them know I did not want to change my meter. I asked if I could be deferred from the program until I could do more research on the issue since I had heard several horror stories about these unproven new devices and I wanted to do my own research. That day in June, I was passed around to three different representatives and no one could help me with deferring the installation. The final DTE representative told me that the department that could help me with my request was closed for the day. I asked for the contact information and said I would call them the next business day. They said they couldn't give me the number but they would take my information down and have someone call me back to help me with my issue. Unfortunately, this statement becomes a recurring theme with DTE representatives. They told me this special department is very busy right now with the meter changeover but I should be patient and they will call me back. I never received a call, and since someone gave me their word that I would get a call, I trusted DTE and their representatives on that word. On election day, Tuesday November 8th, 2016, I received a call from my fiancée informing me that my power was out and DTE had left a note on the door. About three days before this I did retrieve a letter from my mailbox. The letterhead itself was dated October 26th, 2016 - I can't find the actual envelope to see if it was postmarked before or after that date. I am often out of town this time of year and as such do not receive mail every day so it could have been in my mailbox for up to

5 days. The letter stated that there was a lock on my metering box and that this posed a safety risk. I did have information from the president of my community (White Lodge Owners, Inc.) that the local fire and rescue team does not deem a lock or cage on a meter to be a safety issue and the fire department could not think of any reason how a small padlock could be a safety issue. I even have tools in my garage 50 feet away to remove a simple padlock like that within seconds so I was at a complete loss in identifying how a lock was a safety risk. The local fire and rescue team would be the first responders in any emergency situation and I was told that they

said they don't wait for DTE if they need to disable a power supply and are trained as such. This being the case, I was advised by the WLO, Inc.

President that the letter from DTE was a likely a scare tactic and that DTE did not have any reason to disconnect my electricity. Since I did call when I received the first letter in June 2016, and I was told my a DTE representative that they would call me back and that I should wait for that call, I chose to go with the first information that I was given by DTE, which was to wait for them to call me. The letter that was on my door Tuesday November 8th, 2016 said that due to a safety issue, my power had been temporarily interrupted and I would need to call a number listed in the letter for further information.

The office was closed for the night according to the letter, so I decided I would call when they first open the next morning. I called around 8:30am and spoke to a representative of DTE named Stewart. I explained to him the situation and that DTE had told me they would call me back several months before, and I had never gotten a call as another DTE representative had promised. He did not seem to care and asked if I wanted an opt-out meter or a regular meter. I told him my current meter was fine, and I just wanted my power restored. He did not care that someone had told me that DTE would call me to discuss this issue several months ago. He told me DTE will not restore my power unless I agree to the installation of an advanced meter, or AMI.

I was adamant that I did not consent to an AMI. I asked him what the safety concern was and he said he did not know. I asked to speak to his manager and he said I could not but he would write down my phone number and pass it on to his manager and she, Mrs. or Ms. Gaiter, would call me back. I did give him my number but asked to be transferred to her phone. He told me he could not do that. I explained again that I had been promised by another representative of DTE that they would have someone call me back regarding the replacement of my meter and I never received a call so I didn't believe he was actually going to pass my information along. Stewart resisted and told me he would not transfer my call and the only options I have are to agree to a smart meter or to agree to give him my phone number and wait for someone to call me back. I finally realized Stewart had no authority or desire to help me so I asked him when I could expect a call back from his manager, Mrs. Gaiter. He told me that she would definitely call before the end of the day and when I asked what time that was he said 4:30pm. I made several other calls the same day but I want to mention that Mrs. Gaiter never attempted to call me that day, again reinforcing my belief that DTE will not follow up even when they guarantee that someone will call you back. The next time I called was sometime after 10am to check on the status of my situation. I asked again to talk to Mrs. Gaiter about my issue. The representative did eventually put me on hold and my call was transferred. I am not sure how their message system works, it wanted me to type in several keys on the keypad and eventually I was transferred to a different department and was never able to leave a message. I think it was the "report an outage" line but I am not sure. I think the woman's name was Nicole that answered. I explained my situation and told her I wanted my power restored. She couldn't find my information using either my address or phone number and I told her my power was cut because I had not agreed to have an AMI installed. She put me on hold and when she came back on she said she was able to get information about my situation from the group that had transferred my call. She asked if I wanted the advanced meter or if I wanted to opt out and gave me prices. I said I would take a regular AMI meter because I just really needed to have my power reconnected and there was no difference in the risk between the two and I didn't want to pay extra for the same thing. It is cold and I didn't have heat, water or food storage/refrigeration without electricity. She said that she entered my information and put the order in for the work to be done and that someone would call me back in the next day or two to schedule the work to be done. I thanked her for helping me out and wished her a good day. At 4pm, I still had not received a call back from Mrs. Gaiter so I called that department back again. This time I simply asked for an estimate of when the work would be performed to restore my electricity. The woman put me on hold and when she came back on she said they just needed to get a few more details taken care of and they would be able to get me an estimate. I asked when they would let me know and she said they would call back before 5pm that day. I told her that her department closes at 4:30pm per the letter that was on my door. She told me that people in her department work until 5pm so someone would call me back. Well, since they shut their phones off at 4:30pm I was certain that I couldn't call back if I didn't hear from them since 5pm would be too late. I assumed this was another DTE tactic to torment loyal customers. I called back around 4:15pm and talked to a woman who identified herself as Josie. She was very helpful and understood my frustration. I asked her how long it would be for me to get my power restored. She looked up my record using my address and told

me that there was no work scheduled and no one had put an order in to restore my power! I was very surprised since 15 minutes prior I was told that they had entered the information and would be calling me back soon. I was also very happy to have finally reached a DTE representative who seemed to know what they were doing and was actually trying to help me out. Josie said there was a note in my file that I requested a manager to call me, but she did not actually see where my info was taken down or where anyone was actually notified to call me. She even said she saw that I had called in early June 2016 (the 10th I believe) and that no where in that call log did the representative note my contact info or that I was to get a call back! I was actually not surprised at this point that DTE and their representatives had so badly handled my situation. Jolie said that she saw my call that day (Nov 8th) after 10am, but nothing was logged in there about me agreeing to have the AMI meter installed. She was able to get some info from me and fill out the work permit or work request. She said usually work requests can be handled in about two days, but it could be as late as Saturday (This was Wednesday that I called DTE so many times). The next day, Thursday, a DTE agent came to my house and put a new AMI meter on, but said he had no idea when they would actually reconnect my power. I am writing this note well after dark Thursday night so there will be no line crew coming out tonight. I am still hoping to get my power restored before the weekend, it is getting cold out and I pay my bill in full every month with autopay, I have never missed a bill or been late so I can't understand why I am being treated this way. Even if I didn't pay my bill I don't think it is right for DTE to cut off my access to heat, water and food storage and then not allow me to have power restored unless I agree to their upgrades. I am also leaving town soon for a few days again and my fiancée needs power in order to stay at the house. I have no idea why DTE chose to treat me this way when I was doing everything I was asked to do. There also is no alternative for electric power in my area. You either do what DTE tells you to do, or you go without electricity until you are ready to submit to their demands. UPDATE: My power was eventually reconnected after four very cold days without heat (furnace won't run without electric), water (well pump) and refrigeration.

Matthew Kelley  
10587 Monticello Rd.  
Pinckney, MI 48169  
517 920 1175





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## Thank you for your Complaint / Inquiry

**Your complaint has been successfully submitted. Please print and/or save this confirmation for your records.**

The Attorney General's Consumer Protection Division has received and will be reviewing your correspondence. Please retain this confirmation as it includes the Attorney General number assigned to your correspondence. If your correspondence involves a consumer complaint, the Attorney General's office will likely contact the company on your behalf and provide you with a copy of the response we receive. If your correspondence involves a question or a request for information, we will respond to your inquiry as soon as possible.

The Attorney General's office helps thousands of consumers each year. We want to help you resolve your complaint to your satisfaction. Because of the enormous volume of complaints we receive, however, the Attorney General's office cannot file lawsuits on behalf of individual consumers. Rather, the Attorney General will sue a company only when the general public interest is involved or in certain cases involving a large number of consumers. Accordingly, if you feel that a lawsuit may be necessary in your case, you may wish to file a complaint in Small Claims Court or hire your own attorney.

If your correspondence is just to give us information and you indicated that you do not need us to respond, thank you. The material you provided will remain part of our public database. You will not hear from us again unless we have questions.

If you need to supply additional information and/or documents, please include in the subject line the following **Complaint Identification Number: 2016-cp11091435639-A**

- Email: [cp\\_ocs@michigan.gov](mailto:cp_ocs@michigan.gov)
- Fax: (517) 241-3771
- Mail: P.O. Box 30213, Lansing, MI 48909

Sincerely yours,  
Consumer Protection  
Division  
(877) 765-8388  
(517) 373-1140

Web Complaint Number: 2016-cp11091435639-A

Submitted: 11/9/2016 2:35:15 PM

### Consumer Information

Your Last Name: Kelley  
Your Street Address: 10587 Monticello Rd  
Your State: MI  
Your County: Livingston  
Your Home Phone: 5179201175  
Fax Number:

First Name: Matthew  
City: Pinckney  
Zip Code: 48169

M.I.:

Your Work Phone:  
E-mail Address: [mdkelley338@gmail.com](mailto:mdkelley338@gmail.com)

Ext.:

Are you a veteran or active-duty service member? ☐ Yes ☐ No

### Primary Company Or Person Your Complaint Is About

Company or Person? Company  
Complainee Last Name:  
Company Name: Dte Energy  
Street Address: 1 Energy Plaza  
State: MI  
County:  
Fax Number:  
Web Site Address:  
Special Jurisdiction: Public Utility

Complainee First Name:  
  
City: Detroit  
Zip Code: 48226  
Phone:  
E-mail Address:  
Product Offered:

### Secondary Company Or Person Your Complaint Is About

Company or Person? Company  
Complainee Last Name:  
Company Name:  
Street Address:  
State: MI  
County:

Complainee First Name:  
  
City:  
Zip Code:  
Phone:

Fax Number:  
Web Site Address:

E-mail Address:

### Motor Vehicle Warranty Complaint Information

If your complaint involves motor vehicle manufacturer warranties or non-dealer service contracts, please fill out this section. Most other auto-related complaints, including dealer complaints and complaints concerning automotive repairs and repair facilities, must be filed with the Department of State's [Bureau of Automotive Regulation](#): 1-800-292-4204

Vehicle Make, Model, and Year:

Vehicle VIN No.:

### Complaint Information

Incident Date: 11/08/2016

Incident Time: 3:00:00 PM

Incident Location: 10587 Monticello Road,  
Pinckney, MI 48169

Approximate Monetary Value: \$0

Did you sign a contract? ☐ Yes ☒ No

Where did you sign this contract?

Is a court action pending? ☐ Yes ☒ No

Do you have an attorney representing you on this matter? ☐ Yes ☒ No

Are you willing to testify in court regarding this complaint? ☒ Yes ☐ No

Did you complain directly to the business? ☒ Yes ☐ No

If so, who? Call Center Reps  
Working For Mrs. Gaiter

What was the response from the business? DTE representatives  
could not cite a safety  
reason for interrupting my  
power under MPSC rule  
460.136.

If no complaint was given to the business directly, why?

Was this complaint filed with any other agencies? ☐ Yes ☒ No

If so, who?

Do you think you were targeted for unfair treatment due to your status as a veteran  
or active-duty servicemember? ☐ Yes ☒ No

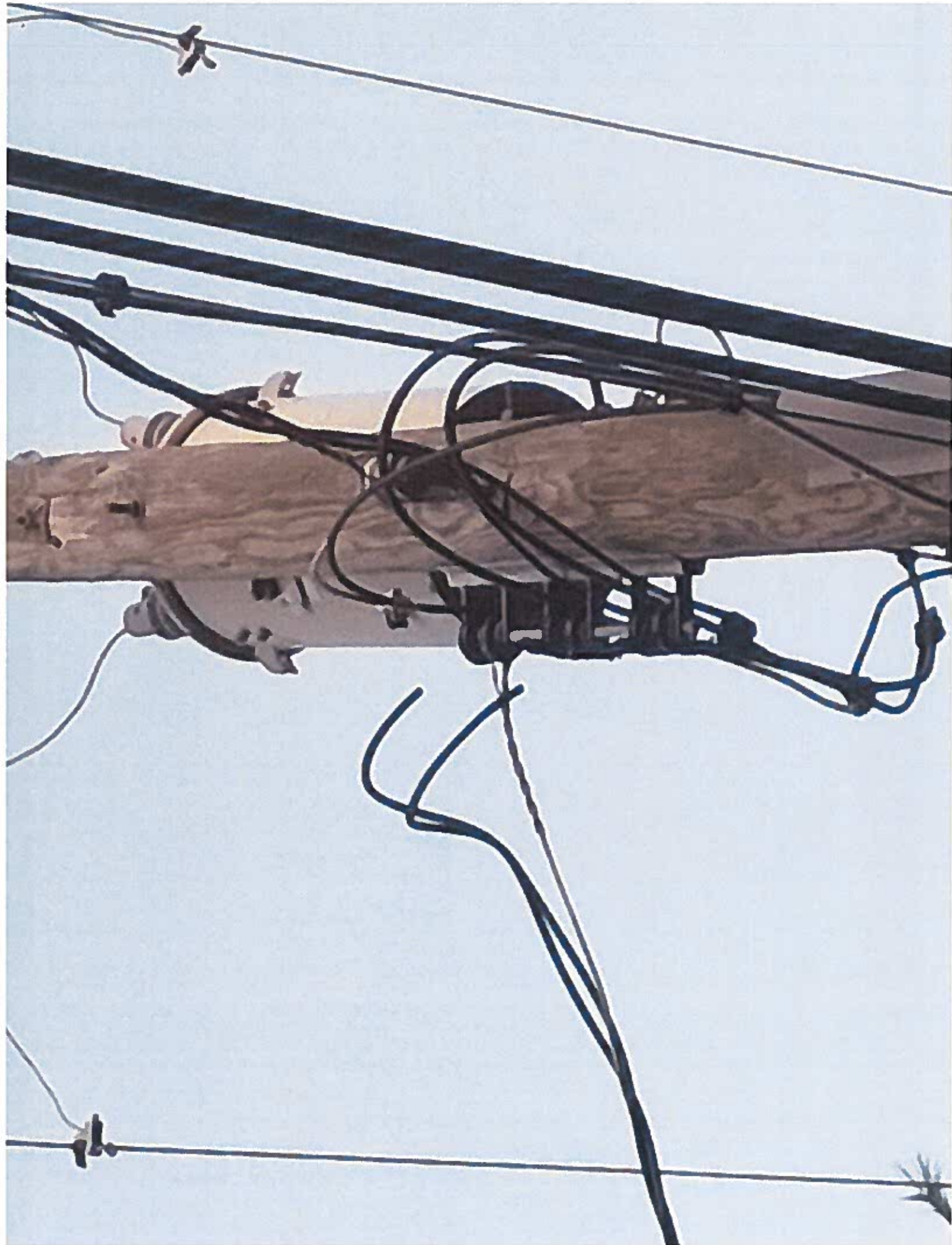
If so, please provide more  
information in the Complaint  
Detail/Inquiry Information  
section below.

### Complaint Detail/Inquiry Information

Describe your problem, what attempts you have made to correct it, and how you would like to have the problem resolved. You have approximately 8-10 typed pages and you may paste text from word processing documents.

Monetary value - It is difficult to put a monetary value on this issue. I could add up the cost of a generator, fuel, ruined food, lost time from work, hassle of no hot water and no furnace, potential damage to electronic devices from the abrupt power loss etc. but there could be even greater losses than that. This issue is not being reported to seek monetary damages, but hopefully to prevent this from happening to others in my situation. I was informed by DTE that they are doing this to many other customers as well. I asked about my neighbors who are in a similar situation and was told "Oh, we will get them also" by the DTE representative. That is my primary concern, not my loss of money and small amount of suffering I endured while being harassed in this way, but I really want to prevent other people from being treated this way. The problem Residential electrical service interruption. My electrical power was interrupted with little warning and a note on my door cited that my power was interrupted for safety purposes under Michigan Public Service Commission Rule 460.136 (below). R 460.136 Emergency shutoff Rule 36. Notwithstanding any other provision of these rules, a utility may shut off service temporarily for reasons of health or safety or in a state or national emergency. When a utility shuts off service for reasons of health or safety, the utility shall leave a notice at the premises in accordance with the provisions of R 460.139(a), (b), and (i). I called a phone number that was in the letter DTE left on my door. I was told that they considered a removable lock on a meter enclosure to be a safety concern. DTE representatives could not tell me what safety risk was posed by my lock, just that they couldn't change out my analog meter, which is working fine and causing no safety issues. I asked three different DTE representatives what the actual safety concern was, they said they did not know and that I would have to file a complaint to find out what the actual safety concern is. This is my formal complaint. How I tried to correct the problem: I called DTE and informed them that I had removed the locking device, which is what they claimed the safety concern was. I asked when they could restore my power. They said they would not restore my power unless I consented to having an advance meter installed that would be used to collect data about my home. I told them I would not consent to having an advanced meter installed, but that the safety concern was removed and per the MPSC rule, the temporary interruption should be ended and my power restored. They said that once my power is off, they don't have to reconnect it if I don't agree or consent to having an advanced meter installed. This does not seem to be in line with the MPSC code, I could find no where in that code where it states my power could be cut due to a safety concern, and then not restored unless I agree to sign up for any additional or change in service or equipment. How I would like to have the problem resolved: Ideally, I would like to have my power reconnected without being coerced into agreeing to any service changes. That probably won't happen before it gets too cold for me to live in my home without my electric powered heater. The rules for emergency shutoff need to be better defined and there needs to be some organization that can review and enforce these rules. There is no definition for "temporarily" in the rules, and there is nothing that states when the power company must reconnect or restore electricity. The way DTE is currently using the MPSC rule leaves customers vulnerable to being disconnected with little to no reasoning and then allowing DTE or other power companies to take any action they desire, including charging extra reconnect fees, in order for a person's power to be restored. At this point I have nowhere to turn to in having my power restored without major changes to my power supply equipment. DTE told me that even if a safety concern is identified, and if I eliminate the safety concern, they would not reconnect my power unless I allow an advanced meter to be installed in my home. This seems to fly in the face of the "safety concern" reasoning in their letter. If the safety concern is removed, shouldn't my power be restored without any other preconditions? The only reason that would not be the case is if there was never a safety concern and this act by DTE was to force me into complying with their new meter. The rule only states that they can temporarily interrupt due to safety concerns, it doesn't say they can cut the lines and then demand I install new equipment to have my temporary interruption restored.











**DTE Energy**

**IMMEDIATE REPLY REQUIRED**

November 8, 2016

Mr. Matthew Kelley  
10587 Monticello Rd  
Pinckney, MI 48169-9320

**Regarding: 10587 Monticello Rd, Pinckney, MI 48169-9320**

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Dear Mr. Kelley:

**Your electric service has been interrupted for safety purposes. Please remove the locking device and call us at 1-800-441-6698 to arrange to have the new advanced meter installed and for power restore. Our office hours are Monday – Friday from 8:30 a.m. to 4:30 p.m.**

During a recent visit to the above address, we found that a locking device was installed that prevented us access to our metering equipment. This condition is unsafe for your family and your neighbors. Pursuant to Michigan Public Service Commission (MPSC) Rule 460.136, a utility may shut off service temporarily for reasons of health or safety. For these reasons, your electric service has been disconnected. You may be required to pay a reconnect fee to have your service restored.

If you would like to enroll in our Opt-Out Program, make us aware of that decision when you contact us and a non-transmitting advanced meter will be installed.

**Please note that providing access to our metering equipment is not optional-it is a requirement that customers must comply with, and we appreciate your cooperation.**

Thank you for being a valued DTE Electric customer.

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Sincerely,

DTE Energy



**DTE Energy**

October 26, 2016

**IMMEDIATE REPLY REQUIRED**

Mr. Matthew Kelley  
10587 Monticello Rd  
Pinckney, MI 48169-9320

**Regarding: 10587 Monticello Rd, Pinckney, MI 48169-9320**

Dear Mr. Kelley:

This is a follow-up to our letter informing you that the Michigan Public Service (MPSC) approved DTE Electric Company's proposed plan to offer residential customers an opt-out of our Advanced Metering Infrastructure (AMI) Program. Our letter provided you with the requirements for opting out and instructions to contact us if you would like to participate in the Opt-Out Program. Additionally, the letter clearly stated that if you do not contact us to enroll in the Opt-Out Program, we will proceed with the installation of the advanced meter.

During a recent visit to the above address, we found that a locking device was installed that prevented us access to our metering equipment. This condition is unsafe for your family and your neighbors. Pursuant to Michigan Public Service Commission (MPSC) Rule 460.136, a utility may shut off service temporarily for reasons of health or safety. For these reasons, your electric service will be disconnected without further notice if you do not remove the locking device and contact us immediately so that we can proceed with the installation of the advanced meter. If your service is interrupted, you may be required to pay a reconnect fee to have your service restored.

To prevent interruption of your electric service, please remove the locking device and call us at 1.800.441.6698 to arrange to have the new advanced meter installed. Our office hours are Monday – Friday from 8:30 a.m. to 4:30 p.m.

If you would like to enroll in our Opt-Out Program, make us aware of that decision when you contact us. This program allows for a non-transmitting, (radio off) advanced meter to be installed and the following fees will be assessed to your account.

- \$67.20 AMI Opt-Out Initial Fee
- \$9.80 AMI Opt-Out Monthly Charge

**Please note that providing access to our metering equipment is not optional-it is a requirement that customers must comply with, and we appreciate your cooperation.**

Thank you for being a valued DTE Electric customer.

Sincerely,

DTE Energy